

MIED ProSe 14 (Rev 5/16) Complaint for Violation of Civil Rights (Prisoner Complaint)

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FEE  
PAIDIN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN

Scott Sedore #210661

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

v.

- 1) Brian Stricklin (RN)
- 2) Sirennq Landfair (RN)
- 3) Jane Doe ("ms, Dana")
- 4) John Doe ("chris")
- 5) Michigan Department of Corrections ("M.D.C.")

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Case: 1:21-cv-13065

Judge: Ludington, Thomas L.

MJ: Morris, Patricia T.

Filed: 12-30-2021

PRIS SEDORE VS STRICKLIN ET AL (DP)

Jury Trial: ☒ Yes ☐ No  
(check one)Complaint for Violation of Civil Rights  
(Prisoner Complaint)

## NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed *in forma pauperis*.

**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name Scott Sedore # 210661  
 All other names by which you have been known:  
N/A  
 ID Number # 210661  
 x Current Institution G. Robert Cotton Correctional facility  
 x Address 3500 North Elm Road  
Jackson, michigan - 49201

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

x Defendant No. 1

Name Brian Stricklin (RN)  
 Job or Title Nursing Supervisor - Registered Nurse  
 (if known)  
 Shield Number N/A  
 Employer Michigan Dept. of Corrections  
 Address G. Robert Cotton Correctional facility - 3500 N. Elm Road  
Jackson, michigan - 49201  
☒ Individual capacity ☒ Official capacity

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## x Defendant No. 2

Name Sirena Landfair  
 Job or Title (if known) Health Unit Manager ("H.U.M.") - Registered Nurse  
 Shield Number N/A  
 Employer Michigan Dept. of Correction's  
 Address G. Robert Cotton Correctional Facility - 3500 N. Elm Road  
Jackson, Michigan - 49201  
☒ Individual capacity ☒ Official capacity

## x Defendant No. 3

Name "Jane Doe" ("Ms Dana")  
 Job or Title (if known) "JCF" Healthcare staff  
 Shield Number N/A  
 Employer Michigan Dept. of correction's  
 Address G. Robert Cotton Correctional Facility - 3500 N. Elm Road  
Jackson, Michigan - 49201  
☒ Individual capacity ☒ Official capacity

## x Defendant No. 4

Name "John Doe" ("chris")  
 Job or Title (if known) "JCF" Healthcare staff  
 Shield Number N/A  
 Employer Michigan Dept. of Correction's  
 Address G. Robert Cotton Correctional Facility - 3500 N. Elm Road  
Jackson, Michigan - 49201  
☒ Individual capacity ☒ Official capacity

\* Defendant's continued: "Extra Page"

Defendant No. 5

name: Michigan Department of Corrections ("M.D.C.")  
Job or Title: Michigan State Prison System  
Shield number: N/A  
Employer: State of Michigan  
Address: G, Robert Cotton Correctional Facility  
3500 N. Elm Road - Jackson, Michigan - 49201  
☒ Individual Capacity ☒ official Capacity

Defendant No. 6

name:  
Job or Title:  
Shield number:  
Employer:  
Address:

☐ Individual Capacity ☐ official Capacity

Defendant No. 7

name:  
Job or Title:  
Shield number:  
Employer:  
Address:

☐ Individual Capacity ☐ official Capacity

**II. Basis for Jurisdiction**

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (*check all that apply*):

- ☐ Federal officials (a *Bivens* claim)  
☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

- ① violation's of the 8<sup>th</sup> Amendment to the U.S. constitution  
 - "Deliberate Indifference" to my serious medical needs
- ② violation's of Title II of the American's with Disabilities Act,
- ③ violation's of the Rehabilitation Act.

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

N/A

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

Defendants Acted under color of state law! Defendants all worked in a michigan Department of correction's penitentiary. They are required under state and federal laws to not only protect the safety and security of the General Public-But they are required to work and Act and follow and Execute michigan state Law's and U.S. federal Law's.

They are required to protect my state and federal civil rights. They treated me "Inhumanely", they violated my state and federal civil rights law's.

### III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

- ☐ Pretrial detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☒ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner
- ☐ Other (explain) \_\_\_\_\_

### IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed. (please refer to attached statement of facts / claims)

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

N/A

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

G, Robert Cotton Correctional Facility ("JCF")  
3500 North Elm Road  
Jackson, Michigan  
49201

(\*) please refer to attached "statement of facts/claims" for details of Alleged violations of US, civil rights, Title II of the Americans w/Disabilities and Rehabilitation Acts.

(\*) Between 7/24/19 - present

- C. What date and approximate time did the events giving rise to your claim(s) occur?

(\*) Between 7/24/19 - present

(\*) please refer to attached "statement of facts/claims" for specific dates/times, etc...

(\*) some outside of the Above stated Dates:

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- D. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*

① please refer to attached "statement of facts/claims"



**V. Injuries**

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

(\*) please refer to attached "statement of facts/claims"

**VI. Relief**

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

(\*) please refer to the last page of my Handwritten "statement of facts/claims" to the page that says at the top of the page "Relief Sought"!

**VII. Exhaustion of Administrative Remedies Administrative Procedures**

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

- ☒ Yes  
☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

G. Robert Cotton Correctional facility ("JCF")  
 3500 North Elm Road  
 Jackson, Michigan  
 49201

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

- ☒ Yes  
☐ No  
☐ Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

- ☒ Yes  
☐ No  
☐ Do not know

If yes, which claim(s)? All of my claim's outlined all of my grievances at step #1, step #2, step #3 Appeal.

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D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

- ☒ Yes  
☐ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

- ☐ Yes  
☐ No

N/A

E. If you did file a grievance:

1. Where did you file the grievance?

G. Robert Cotton Correctional facility ("JCF")  
 3500 North Elm Road  
 Jackson, Michigan  
 49201

2. What did you claim in your grievance?

- violations of the 8<sup>th</sup> Amendment ("Deliberate Indifference")
- violations of Title II of the American's w/Disabilities Act
- violations of the Rehabilitation Act

3. What was the result, if any? none of my issues were resolved

- some grievances were "rejected"
- some grievances were "denied"
- The M.I.D.C.C. and other Defendants never offer any legitimate resolution.

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4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

I completed the grievance process thru all "3" steps of the M.D.O.C. grievance process, I have exhausted any/all "available" Administrative Remedies.

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

N/A

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

N/A

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

N/A

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

**VIII. Previous Lawsuits**

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this "three strikes rule"?

☐ Yes

☒ No

If so, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

- A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action? *There are additional facts involved in this lawsuit.*
- ☒ Yes *Also, there are other lawsuits - but they had different*
- ☐ No *Defendants, different instances, periods of time, different facilities/prisons*
- B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s) Scott Sedore #210661

Defendant(s) Duncan MacLaren

2. Court (if federal court, name the district; if state court, name the county and State)

Western District Federal Court (Northern Division)

3. Docket or index number

2:17-cv-7

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4. Name of Judge assigned to your case

Janet Neff

5. Approximate date of filing lawsuit

January, 2017 (approximately)

6. Is the case still pending?

☐ Yes

☒ No

If no, give the approximate date of disposition. 2020

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

- The case was dismissed at 2nd summary judgement, 2019,  
 - The case then went to the 6th circuit court of Appeals  
 - Appeal Denied.

C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

☒ Yes

☐ No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s)

Scott Sedore #210661

Defendant(s)

Michael Warner

2. Court (if federal court, name the district; if state court, name the county and State)

Eastern District federal court

3. Docket or index number

4-19 - CV - 10259

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4. Name of Judge assigned to your case

Matthew F. Leitman

5. Approximate date of filing lawsuit

January, 2019

(X) 6. Is the case still pending?

☐ Yes

☒ No

If no, give the approximate date of disposition. settlement reached - June, 2021

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

Lawyer appointed by court - Daniel Marville

#### IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

#### (X) A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: January 1st, 2022.

Signature of Plaintiff

Scott Sedore #210661

Printed Name of Plaintiff

Scott Sedore #210661

Prison Identification #

210661

Prison Address

G. Robert Cotton Correctional Facility - 3500 North Elm Road  
Jackson, Michigan 49201  
 City State Zip Code

VIII. Previous Lawsuits - continued....

① Plaintiff: Scott Sedore #210661  
Defendant: sherman Campbell, et al.  
court: Eastern District Federal Court  
Docket or Index number: 2:19-cv-10311  
name of judge assigned: Stephanie Dawkins Davis  
Is case still pending? yes      Date filed: January, 2019

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② Plaintiff: Scott Sedore #210661  
Defendant: Sherry Burt, et al.  
court: western District federal court (southern Division)  
Docket or Index number: 1:16-cv-903  
Name of judge Assigned: Paul L. Maloney  
Is case still pending? no, dismissed at 2nd summary judgement, 2019!

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③ Plaintiff: Scott Sedore #210661  
Defendant: Noah Nagy, et al.  
court: western District federal court (southern Division)  
Docket or Index number: 1:19-cv-61  
name of judge Assigned: Robert J. Jonker  
Is case still pending? no, dismissed at summary judgement for "lack of exhaustion"



VIII. Previous Lawsuits Continued....

④ Plaintiff: Scott Sedore #210661  
Defendant: Corizon Health Inc., ET AL.

Court: Eastern District Federal Court

Docket or Index number: 2:21-cv-11643

name of judge Assigned: Stephen J. Murphy, III

Is case still Pending? yes

Date filed? <sup>on or</sup> Around June, 2021!

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⑤ Plaintiff: Scott Sedore #210661

Defendant: Sirennia Landfair, et al.

Court: Eastern District Federal Court

Docket or Index number: # [REDACTED]

name of judge Assigned:

Is case still Pending? yes

Date filed? <sup>on or around</sup> 11/1/2021

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⑥ Plaintiff: Scott Sedore #210661

Defendant: <sup>Nigel Wyckoff</sup> [REDACTED], et al.

Court: Eastern District Federal Court

Docket or Index number:

name of judge Assigned:

Is case still Pending? yes

Date Filed? <sup>on or around</sup> 12/1/2021

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**Additional Information:**

#210661  
Scott Sedore

VS.

Brian Stricklin,  
etal.

"Defendants"

- 1) Brian Stricklin (RN)
- 2) Sirena Landfair (RN)
- 3) Jane Doe ("MS. Dana")
- 4) John Doe ("Chris")
- 5) Michigan Department of Corrections ("M.D.C.")

①

## "Statement of Claim's"

This Lawsuit is about medical treatment that I have received at G. Robert Cotton Correctional Facility ("JCF") between February, 2020 to present date. This is an "ongoing" matter, no resolution has been offered at any point in time by the defendants in this Lawsuit. All Defendants in this Lawsuit have "Acted under Color of State Law" at all relevant times pertaining to this Lawsuit. This Lawsuit alleges "Deliberate Indifference" to my serious medical needs, Violation's of the 8<sup>th</sup> Amendment to the U.S. constitution. It also includes Violation's of Title II of the American's with Disabilities and Rehabilitation Acts.

The Michigan Department of correction's ("M.D.C.") and other Defendants in this lawsuit have policies, procedures, practices in place to buy sub-par, junk, in-adequate Daily Assistive Living Devices. They do this to save money, but in reality all it does it cost's them more money in the long run. It does not accomplish the goal's that they have in mind.

This Lawsuit is about violation's of the 8<sup>th</sup> Amendment to the U.S. constitution, which Ban's cruel and unusual punishment or treatment of prisoner's.

⊗ underlying the 8<sup>th</sup> Amendment is a fundamental premise that prisoner's are not to be treated as less than Human Being's.

⊗ "wrongful Intent" is not a necessary element for an 8<sup>th</sup> Amendment violation. If the Physical pain, emotional & mental anguish that results is cruel and unusual, it is a violation of the 8<sup>th</sup> Amendment, regardless of the "Intent or Purpose" of those who inflict it.

⊗ The following are examples of conduct by prison official's that show more than mere negligence: ① delaying treatment for non-medical reason's, ② knowledge of a serious medical need and a failure or refusal to provide care, ③ Grossly Inadequate care, ④ A decision to take an easier but less efficacious course of treatment, ⑤ medical care that is so cursory as to amount to no treatment at all.

- I argue that the Defendants have been "deliberately Indifferent" under nearly "every" formulation of the standard. The record is "replete" with evidence to support this conclusion.

(2)

⊗ The legal hurdle a pro se prisoner must meet to hold prison officials responsible for his/her actions make it very difficult to "sue". I must meet the "objective" and "subjective" elements to prove a "deliberate Indifference" claim.

- I must prove that I have a serious medical need ("objective" element)
- I must prove that prison official's / healthcare worker's acted knowingly and with deliberate disregard for all standard medical procedures. ("subjective" element)

(I am very confident that I can do that in this instance, for a person with a history and "ongoing" medical needs such as the case with me.)

All defendants in this Lawsuit/Action have a non-discretionary "Duty" to Execute and follow all state and federal law's/statutes, including all civil rights law's. They also have a "Duty" to comply w/ Title II of the American's w/ disabilities and Rehabilitation Acts. They have a "Duty" to Execute and follow all M.D.O.C. policy Directives and operating procedures, "M.D.O.C." employee work rules.

The defendants in this Lawsuit have failed miserably in protecting Any / All my rights in this instance. As a direct result I am suffering in physical pain, emotional & mental Anguish 24/7.

"Deliberate Indifference" is more than mere negligence. It entails neglect, mistreatment, Inhumane treatment, and total disregard for my health and well-being. This Lawsuit is about all of these things. It is about "deliberate indifference" to my many serious medical needs.

I was involved in a High speed "Head-on" Car Accident on October 9<sup>th</sup>, 2009. I was traveling at approximately 70mph when the car I was driving crossed over the "centerline" of a 2-lane highway. I hit another car/driver head-on. I was not wearing a seat-belt at the time of my accident. I suffered catastrophic, critical injuries as a direct result. I suffered 23 Broken Bones, pulmonary contusions, complete "respiratory failure", cardiac contusions, traumatic Brain injuries. I am currently still in need of a massive amount of medical treatment, pain management, multiple orthopedic surgeries that the M.D.O.C. and corizon Health Inc. have repeatedly refused to provide to me between my 5/19/11 arrival in the "M.D.O.C."!

After my 10/9/09 car accident, I spent several weeks in a "Coma", in the neuro-intensive care unit at sparrow Hospital in Lansing, michigan. I still am in need of treatment to my lungs/heart, and for Traumatic Brain Injuries that defendants refuse to provide. I also developed "pneumonia" in both lungs as a direct result of being placed on life support/ventilator.

③

I went thru in-patient rehabilitation program at Sparrow Hospital, and I went thru almost 6-months of outpatient rehabilitation in total. I went 5-days a week for outpatient rehab. I went thru speech, respiratory, recreational, occupational, physical therapy. Just to name some, but not all of required rehabilitation I went thru now, because of the treatment I have received from the M.D.O.C. and Corizon Health. Any/All gains in my mobility and physical/emotional, mental Health have been erased, and diminished to the point that I cannot even take care of myself and my most basic daily living needs, my chronic pain and multiple "ongoing" orthopedic injuries have basically crippled me and made me physically helpless. The issue with these "Air mattresses" is causing me unjustified pain and suffering in many ways, Physically, emotionally, mentally! Being constantly woke up because my "Air mattress" goes flat thru out the night is "robbing" me of what little piece of mind that I do still have. The defendant's in this Lawsuit can change that by purchasing Adequate Air mattresses that will hold up and last for a prolonged period of time, currently I spend more time trying to stop leaks in my air mattress, than I do sleeping at night.

The "Deliberate Indifference" and violations of Title II of the American's with Disabilities and Rehabilitation Act's comes into play because the defendant's are more than aware of my problems and complaints with the "sub-par", junk "Air mattresses" that they continue to give me. They recklessly disregard a known risk to my physical, emotional, mental health and well-being every time they present me with a junky "Air Mattress", including "Drive" Brand, and an Air Mattress that is not commercial, Heavy-duty, hospital grade "Air Mattress". There is not a Healthcare professional anywhere outside of the "M.D.O.C." who would continuously give/provide me with a Daily Assistive living device that they know in Advance will fail and not meet my medical needs in Any way. They know (Defendant's) how their giving me faulty "Air Mattresses" affects my total Health, yet they refuse to remedy the situation despite my plea's. They could care less how much I suffer as a result of their action's. They don't have to suffer or live with the affects and results of their neglect, mistreatment, Inhumane treatment. I do though!

As a result of my 10/9/09 car accident and medical treatment by "M.D.O.C." and Corizon Health Inc., staff - I suffer in Intractable, debilitating chronic pain in every "bone" and "Joint" between my feet and my neck. I "dislocated" both my legs from my hips. Tore my right femur ball completely in half. I currently have a 2"-bone fragment in right hip (digging into my hip when I sit or lay.)



④

I have had "4"-surgeries on my hips in total. I still need more currently, I have a "fracture" in my lower/Lumbar spine that continues to get worse on a "ongoing" basis - that will never heal on its own. That will require Lumbar "fusion" surgery at some point to repair. The M.D.O.C. refuses to provide the surgery, or take my back to see another neuro-surgeon to assess current problem. I currently need "6"-orthopedic surgeries that the M.D.O.C. refuses to acknowledge or provide. The M.D.O.C. refuses to accumulate my medical records from Sparrow Hospital or numerous specialists who treated me or recommended surgery or treatment prior to my 4/20/2010 arrest. My M.D.O.C. medical records are no more than 25% accurate of my true medical issues/problems. They are more than aware of this issue, yet they chose to rely on medical records that they know are not a complete, accurate account of my medical history and "ongoing" medical needs. The "Motto" of the M.D.O.C. is as follows: "If we don't know about the medical problem we don't have to treat it." Therefore they refuse to accumulate a comprehensive set of my medical records from Hospital's and doctor's who treated me between my 10/9/09 car accident and my 4/20/10 arrest. They refuse to take me for all orthopedic testing, treatment that I claim to need, once they verify that I have these problems and subsequent treatment and surgery needs, they could not claim the "I did not know card." That would raise their liability from mere malpractice/negligence too "Deliberate Indifference" for Any/All my medical problems. I have made them well aware of my complaints, concerns, and "ongoing" medical problems though. This is not mere negligence, it is most certainly "deliberate Indifference" to my serious medical needs. The issue with the "Air Mattress" is just another facet of that whole thing. Almost all my "ongoing" chronic pain and orthopedic injuries could be treated and managed. They just refuse to lift a finger to help me in any way. That is a shame that so called medical professionals in the M.D.O.C. can violate their "Hippocratic" oath every single day that they come to work. They refuse to treat my pain adequately, and they refuse to treat the underlying cause of that pain.

As part of a Lawsuit settlement (case No. 19-10311) against "M.D.O.C." Defendant's in that Lawsuit, I had a "choice" of either 2-regular mattresses or 1-Air mattress. My 1<sup>st</sup> instinct was to take the 2-regular mattresses



⑤ because it is well known that the quality and durability of the "Air Mattresses" that the "M.D.O.C." gives/issues to prisoners are poor quality "Air Mattresses". I subsequently agreed upon taking an "Air Mattress" due to hip and back pain. The M.D.O.C. has a "Duty" to provide me an Adequate, Durable Air Mattress once they entered into that settlement agreement. They have not in any way or form held up there end of the agreement. They buy "Drive" Brand name "Air mattresses" that are very cheap to buy, but they are some of the least dependable and durable Air Mattresses on the Market, you get what you pay for in life. Nothing less, nothing more.

They buy "Drive" brand name "Air Mattresses" because they cost less than other Brand name Air Mattresses. They cost less than "stryker" Brand name (Dark Blue Mattresses) that are commercial grade, Heavy-duty, Hospital grade "Air Mattresses". Those ("stryker"-Dark Blue mattresses) last for 1-2 years every time.

Since agreeing to my settlement with the "M.D.O.C." on or around february, 2020 and subsequently receiving my 1st "Air Mattress", Everytime I have received a "Drive" Brand name mattress - within a couple weeks it has failed, and went on to eventually develop multiple "Holes" in them. They will go flat constantly, often thru out each night, only a couple times has one lasted me more than a month. Usually, when they go flat, they develop multiple Holes in the "Seam's". These holes cannot be "patched". The M.D.O.C. has never, not one time offered to put a "patch" on any hole in any of my previous "Air Mattresses", like the "JCF" nursing supervisor Brian Stricklin claimed in Exhibit #4 (2/31/21 - Kite response). I have never had an Air Mattress "patched", and every one I have ever had has developed "Holes" in them, you cannot put a "patch" on a hole that is in a Seam, where these "Air Mattresses" almost always develop the holes in them. one time I had a "Drive" brand Air Mattress that developed 12-Holes in it within 3-weeks of receiving it. I felt like an octopus trying to patch up holes/leaks. I spent more sleepless nights trying to patch "Holes", than I spent sleeping, no matter how I lay, when my "Air Mattress" fails - It causes an increase in my Agonizing pain, in every part of my body. Both orthopedic (muscle skeletal) pain and neuropathic pain.

The "Drive" brand name "Air Mattresses" that the "M.D.O.C." Buy's/purchase are junk. They are inadequate, they are not durable or designed for a person my size and weight or for a person who lay's on it almost 22 hours per day. I am permanently in a wheelchair. I can stand, but I cannot walk more than 10 feet or without extreme pain, feeling like i've been ran over by a train or bus. This pain stay's with me 24/7, so I don't walk anywhere, I don't stand very

⑥ long. I usually only stand to get from my wheelchair to the toilet, shower, or my Bed.

I cannot take care of and meet my most basic daily living need's. I have an "Aide" assigned to me who pushes me everywhere almost in my wheel chair, he clean's my cell/room, changes my bedding, moves my footlocker's so I can Access them as needed, He assist's me with a variety and multitude of Basic daily living need's that I don't need to list in this lawsuit. I am the only person at "JCF" that has an "Aide" assigned to them. I am screwed up physically, without an "Aide" I could not meet my daily living need's in any way or form, most of my pain and orthopedic issues could be resolved, but since coming to the "M.O.D.C." on 5/19/11 - The "M.O.D.C." and Corizon Health Inc. have refused to pursue adequate pain management or desperately needed orthopedic surgeries that I need done.

one time I had an "Air Mattress" issued to me (Dark Blue) "stryker" commercial grade, Heavy-duty / Hospital grade. This is the Best of the Best. The problem is that there was a manufacturing defect in the nozzle where you put the Air into the Mattress. Those Air Mattresses cost approximately \$175.00 - \$200.00 a piece. They are durable, heavy-duty, meant for a person my size, and for the type of prolonged use. I was issued that "stryker" Air Mattress on 6/2/2020. I would give anything to have another one of those issued to me Again, "Ms Dora" told me what the "stryker" Air Mattress cost when she ordered it. She also told me that the "Drive" Brand name - junky Air Mattresses cost approximately \$50.00 each. Instead of buying me another "stryker" Air Mattress, that would last me 1-2 year's - the defendant's keep purchasing lower grade Air Mattresses that cost less money. The problem is that they develop holes and fail very quickly. I guess they would prefer to order me Dozen's of Air Mattresses a year that cost \$50.00 each, than to buy me one (stryker - Dark Blue) that will last me 1-2 year's, and will not cost me so much physical pain and lost sleep when they are constantly developing holes and going flat. They are spending more money in the long run to buy these junky cheap Air mattresses. They are not saving any money. I am the person who has to suffer when they are constantly developing holes and going flat. This also causes me physical pain, emotional & mental Anguish 24/7.

The "M.O.D.C." made a deal / settlement with me in february, 2020. This agreement was to provide me with an "Air Mattress". Although they

⑦ did not agree to a specific type or Brand name "Air Mattress", they will have to agree that the agreement/settlement included an agreement to provide me with an "Air Mattress" that is of sufficient quality and durability to meet my needs, not to provide me an "Air Mattress" that's constantly turning my life upside down at all hours of the day and night, causing me increased physical pain, loss of sleep, Anxiety, emotional & mental Anguish 24/7. The "M.D.O.C." has a "Duty" to provide me an "Air Mattress" of sufficient quality and durability. They are not currently meeting that "Duty" or upholding their end of the agreement. They are guilty of "deliberate Indifference" and violating Title II of the American's w/ disabilities and Rehabilitation Acts.

The defendant's are well aware that the Air Mattresses, other than the "Stryker" (Heavy-duty, Hospital grade); that they have been giving me are "junk" that they are not "Durable", they are not designed for the type of use in this setting, nor are they designed for a person my size and weight.

Even with the knowledge that they won't meet my medical needs - these defendant's continue to "force feed" me these junky, inadequate "Air Mattresses" that they know ahead of time - will not meet my medical or any other medical need for that matter.

There is not a "Competent" medical professional in this world, outside of the Michigan Department of Corrections that should or would prescribe treatment or a daily assistive living device that they know ahead of time, is going to rapidly fail, hurt, or cause more harm than benefit or good. That would violate their "Hippocratic" oath that promises not to cause any patient harm knowingly.

By knowing that these "Air Mattresses" will repeatedly fail constantly, and that those failures will turn my life and peace of mind upside down, and cause me more harm and problems than any good. Prior to giving me these junky, inadequate air mattresses knowing the outcome - definitely shows a reckless disregard for my medical needs, health, and well-being. That makes the defendant's "deliberately Indifferent" every day of the week that they continue on this path. This is causing me increased pain and suffering. The defendant's are guilty of "deliberate Indifference" to my multiple serious medical needs, and guilty of violating Title II of the American's w/ disabilities and Rehabilitation Acts.

As the Health unit manager ("H.U.M.") at "JCF" - Sirena Landfair is responsible for the efficient and effective management of Healthcare Services

- ⑧ within the Ambulatory Healthcare unit, This entails the coordination of all clinical activities, dental, medical, psychological services, mental Health and all ancillary and support services. In addition a "H.U.M." may provide direct care when appropriate, she is responsible for implementation and execution of M.D.O.C. policies, procedures and practices at G. Robert cotton corr. facility Healthcare unit.

I want to touch on each defendant's "Duties" (job) at "JCF."

- ① The "M.D.O.C." has a "Duty" to Follow and Execute state and federal civil rights law's. Also, a "Duty" to comply with Title II of the American's w/ disabilities and Rehabilitation Act's.
- ② Nursing Supervisor - Brian Stricklin is a Registered Nurse. He receives prisoner Healthcare request forms ("Kites"), forward's "Kites" to related Dept's or staff, answer's the majority of prisoner "Kites". He over-step's his Duties and authority when he does not forward "Kites" to necessary staff or respond's in the people's place.
- ③ Jane Doe ("Ms. Dana") - she is responsible for ordering supplies and Daily Assistive living devices that are related to the Bureau of Healthcare Services ("BHCS").
- ④ John Doe ("Chris") - He is responsible for ordering and furnishing prisoner daily assistive living devices at "JCF" related to the "BHCS."
- ⑤ Since the Date (February, 2020) I reached a settlement agreement with the "M.D.O.C.", that included the "Air Mattress" accommodation - I have had repeated verbal and written communications with the Defendants in this lawsuit about the issues described in this lawsuit regarding the quality, durability and effectiveness of the "Air Mattresses" that have been furnished to me, Each defendant has played a role in this issue.
- ⑥ I want to just touch-on the "Exhibits" that I sent with this Lawsuit.

(9)

- 1) Exhibit #1 is 4-pages long, It relates the the Issuing of Air Mattresses to me. I reallege all claim's in this grievance. They are all related to this Lawsuit. (#JCF/2108/1311/12E1)
  - 2) Exhibit #2 is 2-pages long, It is copies of Healthcare "kites" that I wrote requesting an Air Mattress-related to grievance # JCF/2108/1311/12E1.
  - 3) Exhibit #3 is 2-pages long, It is a copy of a Healthcare "kite" that I sent to John Doe ("chris") about my need for a commercial grade, Heavy-duty Air Mattress, Although I specifically addressed this "kite" to "chris", nursing Supervisor Brian Stricklin refused to forward my "kite" to chris - and answered a response himself. He stated that I would not be receiving commercial grade Heavy-duty Air Mattress! According to step #2 Appeal response in Exhibit #1 (#JCF/2108/1311/12E1), All Air Mattresses, including "Drive" Brand name are commercial grade / Heavy-duty. The nursing supervisor's 8/25/21 kite response directly "contradicts" the step #2 respondent say's in Exhibit #1 (JCF/2108/1311/12E1)
- Also, refer to Exhibit #5 ("sworn Affidavit"), dated 8/30/21, my "Arde" Khalil chahine #534769 spoke directly to "Ms. Dana" and "chris" on 8/26/21 or 8/27/21, outside of Healthcare services Building on sidewalk. They specifically told my "Arde" that they cannot currently order any commercial / Heavy-duty grade Air Mattresses, I had just received a "Drive" Brand name Air Mattress from "chris" on 8/24/21. He and Ms Dana are stating that they acknowledged that "Drive" Brand name Air Mattresses are not commercial / Heavy-duty grade.



- (10)
- 4) Exhibit #4 is 2-pages long. After I was told on 8/24/21 that there was no commercial / Heavy-duty "Air Mattresses" that could be ordered by Brian Stracklin, ms. Dana, Chris - I saw a guy walk past my housing unit with a light blue commercial / Heavy-duty grade "Air Mattress" that I had previously been given in the past. The nursing Supervisor - Brian Stracklin, in his 8/31/21 "Kite" response said that he merely had come to the "BHCS" to get an old "Air Mattress" "patched". I don't believe that for a second, not one time has anybody ever tried or attempted to "patch" any hole in any of my mattresses that I have had at "JCF". As a matter of fact, they almost always develop a hole in a seam, a place that would be impossible to "patch".
- 5) Exhibit #5 is 1-page long. An "Affidavit" by my "Aide", after he spoke to "ms. Dana" & "Chris" outside the Health Services Bldg. They acknowledged that they could not order any "commercial / Heavy-duty grade "Air Mattresses". That all they could order is "Drive" Brand name "Air Mattresses" currently.
- 6) Exhibit #6 is 2-pages long. It is "Sworn Affidavit" from myself and another prisoner that I placed my step #3 grievance Appeal in my Housing-unit mail Box on 9/24/2021 - After mail was passed out, and I did not receive any step #2 Appeal response for grievance # JCF/2108/1311/12E1 on or before the 9/24/21 - step #2 Appeal response "Due Date". I did not end up receiving any step #2 Appeal response until 9/29/21 - 5 days late of the 9/24/21 - "response Due Date".

(11)

7) Exhibit #7 is 5-pages long, It is a grievance (#JCF/2005/0880/122) that is related to quality of "Air Mattresses". I reallege and reaffirm all my claim's and issues in this grievance as currently "ongoing" and never truely resolved.

(\*) Defendants have a "Duty" to provide a replacement Air Mattress in a timely manner when it is beyond repair. They never do. They never have.

All defendants in this lawsuit have played a very intricate "role" in the issues of this Lawsuit. They are all guilty of "deliberate Indifference" to my multiple serious medical need's. They are all guilty of violating Title II of the American's w/ disabilities and Rehabilitation Act's.

I swear under Penalty of Perjury that Any/All Statements I made in this Lawsuit are Accurate & Truthful.

Respectfully Submitted,

printed name: Scott Sedore #210661

Signed name: Scott Sedore #210661

Date: 1/1/2022

## "Relief Sought"

where Plaintiff respectfully pray's that this court:

- (A) Declare the Act's and Omission's described here in violated Plaintiff's rights under the constitution and Law's of the United States.
- (B) Declare that the Michigan Department of correction's has violated Title II of the American's w/ Disabilities and Rehabilitation Act's.
- (C) Order that the Michigan Department of correction's stop violating the constitution, Title II of the American's w/ disabilities and Rehabilitation Act's.
- (d) order the Defendant's to pay a total of \$250,000 Compensatory Damages.
- (e) order "Each" Defendant to pay \$250,000 in Punitive Damages.
- (f) order the Defendant's to pay reasonable attorney fees and Cost's of bringing this Lawsuit.
- (g) grant any other just and equitable relief that this court deem necessary.

I swear under Penalty of Perjury that Any / All statement Above are Accurate and Truthful.

Respectfully Submitted,

printed name: Scott Sedore #210661

signed name: Scott Sedore #210661

Date: 1/1/2022



## "Index of Exhibits"

- 1) grievance # JCF/2108/1311/12E1, (4-page's)
- 2) 8/4/21, 8/5/21 - Healthcare kite requesting "Air Mattress," (2-page's)
- 3) 8/25/21 kite & Response about Commercial grade / Heavy-Duty "Air Mattress," (2-page's)
- 4) 8/30/21 kite, 8/31/21 Response about Commercial grade / Heavy-Duty "Air Mattress," (2-page's)
- 5) 8/30/21 - "sworn Affidavit," (1-page)
- 6) 9/24/21 - "sworn Affidavit's" (2) - Regarding Sending grievance # JCF/2108/1311/12E1 to step #3 Appeal. (2-page's)
- 7) grievance # JCF/2005/0880/12Z. (5-page's)

STEP 1 / 2 GRIEVANCE  
MICHIGAN DEPARTMENT OF CORRECTIONS  
PRISONER/PAROLEE GRIEVANCE FORM

4835-4247 10/94  
CSJ-247A

Date Received at Step I 8-12-21 AUG 12 2021  
Grievance Identifier: ISCF 2108 131 112E11

Be brief and concise in describing your grievance issue. If you have any questions concerning the grievance procedure, refer to PD 03.02.130 and OP 03.02.130 available in the prison Law Library.

Name (print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
Scott Sedore	210661	JCF	B-1	"ongoing" 8/5/2021	8/9/2021

What attempt did you make to resolve this issue prior to writing this grievance? On what date? I sent "2" kites to  
If none, explain why. "JCF" Healthcare services, with the last kite sent on 8/5/2021,  
I have received no response to either kite. This grievance involves  
"JCF" Healthcare services staff (Jane/John Does), H.U.M. - sirens Land fair,  
Nursing Supervisor - Brian Stricklin (RN), Michigan Department of Corrections  
("M.D.O.C.")!

State problem clearly. Use separate grievance form for each issue. Additional pages, using plain paper, may be used.

Four copies of each page and supporting documents must be submitted with this form. The grievance must be submitted to the Grievance Coordinator in accordance with the time limits of OP 03.02.130. I sent multiple "kites" to "JCF"

Healthcare Services trying to resolve this issue, on 8/5/2021 - I sent the most recent kite.  
I requested a "New" Air Mattress. I have an accommodation order, as part of  
a Lawsuit / "mediation settlement agreement." Refer to Lawsuit Case No. 19-10311.  
"JCF" Healthcare staff and the M.D.O.C. have a "Duty" to furnish me with this  
item in a timely manner. Thus far, "JCF" Healthcare staff have chose to ignore  
my kites / requests - Asking for a New Air Mattress, my current one  
has a "Hole" in it, causing me a multitude of issues / problems. It  
goes flat everyday / every night when, as I Lay on it, "JCF" Healthcare  
staff not only have thus far refused to respond to my kites, they also  
have refused to call me out to pick-up a New Air Mattress. If this  
grievance does not resolve this issue in a timely manner, I will have no  
option but to ask the U.S. District Court to enforce the terms of this settlement.

RESPONSE (Grievant Interviewed?) ☐ Yes ☐ No If No, give explanation. If resolved, explain resolution.)

STEP 1 / 2 GRIEVANCE  
RECEIVED IN GRIEVANCE

AUG 30 2021

OFFICE ON

[Signature]  
Respondent's Signature  
Czarniowski J  
Respondent's Name (Print)

8/26/2021  
Date  
ARN13  
Working Title

[Signature]  
Reviewer's Signature  
Stephane Smajer  
Reviewer's Name (Print)

8/27/2021  
Date  
Al Hum  
Working Title

Date Returned to  
Grievant: 8-30-21  
If resolved at Step I, Grievant sign here.  
Resolution must be described above.

Grievant's Signature

Date

MICHIGAN DEPARTMENT OF  
CORRECTIONS

CSJ-247S 3/18/2019

## STEP I GRIEVANCE RESPONSE SUPPLEMENTAL FORM

(Use if space on the CSJ-247A is insufficient for a full response by stating on the CSJ-247A "See attached CSJ-247S")

<b>Prisoner Last Name:</b> Sedore	<b>Prisoner #:</b> 210661	<b>Lock/Location:</b> B/1	<b>Grievance #:</b> JCF-21-08-1311-12E1
<b>Prisoner Interviewed:</b>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	<b>If "NO", Reason:</b> Prisoner description allowed response from record.	
<b>Extension Granted:</b>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	<b>If "YES", Enter End Date:</b>	<b>If "YES", Enter End Date</b>

## COMPLAINT SUMMARY:

Grievant stated he is receiving proper medical equipment for said issue.

## INVESTIGATION SUMMARY:

Using Electronic Medical Record to verify claim stated by Grievant, there is one Health care request CHJ-549 form on 08/08/2021 in regards to issue grieved. NOTE response to Health care request was timely and answered appropriately to situation. Please note Grievant is actively getting treated for said issue. Grievant has proper medical equipment in possession, it is noted in the Electronic Medical Record.

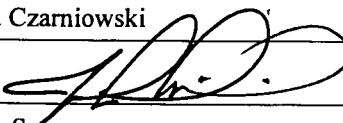
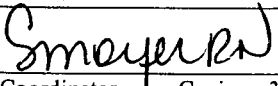
## APPLICABLE POLICY, PROCEDURE, ETC.:

03.04.100

## DECISION SUMMARY:

The grievant's claim is that he believes he is not receiving proper medical equipment for said issue. Grievant received medical attention two separate occasions by Medical Provider and nursing staff, note disagreeing with Medical Provider does not support a claim of denial of care. Note Medical staff used proper guidelines and protocol in regards to issue grieved. Please note prisoner has and currently is being treated for any and all medical concerns/ issues. Prisoner has requested for new medical equipment, the fact he has not received new equipment does not support a claim a denial of care. Once new equipment has arrived he will get the new equipment following proper protocol Per PD 03.04.100 This Grievance is denied.

*\* I have never been seen by any nurse or medical provider related to  
An "Air Mattress,"*

<b>RESPONDENT NAME:</b>	J. Czarniowski	<b>TITLE:</b>	ARN13
<b>RESPONDENT SIGNATURE:</b>		<b>DATE:</b>	08/26/2021
<b>REVIEWER NAME:</b>	S. Smoyer	<b>TITLE:</b>	AHUM
<b>REVIEWER SIGNATURE:</b>		<b>DATE:</b>	08/26/2021

Distribution: Original - Step I Grievance Coordinator      Copies - 3 To Grievant (1 Prisoner Copy; 1 for Step II filing; 1 for Step III filing)

Michigan Department of Corrections

JCF-2021-08-1311-12 E1

Grievance Step II Response

SEDORE 210661

Grievant claims that he has been denied timely replacement of his air mattress. At Step II, grievant claims that the "Drive" brand air mattress he received is inadequate to meet his needs. Grievant asserts that he requires a "commercial grade/heavy duty" air mattress. He claims that he was promised such a mattress in response to grievance JCF-2020-05-880-12Z, filed in May 2020.

Date of Incident is listed as 8/5/2021. Step I grievance was filed on 8/9/2021. Step II appeal was filed on 9/1/2021.

Review of the electronic medical record confirms that grievant has a special accommodation for an air mattress. This accommodation was ordered in February 2020 in response to a legal settlement agreement. There is no indication that any specific brand or style of air mattress was mandated per that agreement. Requests for a replacement air mattress were received on 6/23/2021, 8/8/2021, and 8/24/2021. Grievant was issued a new air mattress on 8/24/2021.

It is acknowledged that medical equipment is to be provided/issued in a timely manner. As outlined above, it appears that the issue of grievant's new air mattress was significantly delayed. This issue has been referred to JCF Health Care for administrative review and corrective action as indicated.

Regarding grievant's claim re: the quality of the air mattress, grievant is advised that MDOC clinics typically obtain supplies from contracted medical supply vendors. Items received are generally considered institutional/commercial quality. This respondent reviewed grievance JCF-2020-05-880-12Z. The reference to ordering commercial grade air mattresses is consistent with current MDOC practice for all prisoners and is not viewed as a variation intended only for grievant. Grievant is advised that "Drive" products are used in institutional settings and thus would be considered "commercial grade."

Grievant is encouraged to notify Health Care when he next needs a replacement air mattress. Grievant is assured that every effort will be made to issue the replacement in a timely manner. Grievant is encouraged to discuss any concerns he may have re: the air mattress with the medical provider. No further remedy may be offered at this time.

Grievance resolved.

Patricia Lamb, RN, BSN  
Respondent Name

Patricia Lamb, RN, BSN  
Respondent Signature

September 28, 2021  
Date

MICHIGAN DEPARTMENT OF CORRECTIONS

4835-4248 5/09

**PRISONER/PAROLEE GRIEVANCE APPEAL FORM**

CSJ-247B

Date Received by Grievance Coordinator  
at Step II: 0-3-21

SEP 03 2021

Grievance Identifier:

JCF 2108 13 11 12 E 1**INSTRUCTIONS:** THIS FORM IS ONLY TO BE USED TO APPEAL A STEP I GRIEVANCE.The white copy of the Prisoner/Parolee Grievance Form CSJ-247A (or the goldenrod copy if you have not been provided with a Step I response in a timely manner) **MUST** be attached to the white copy of this form if you appeal it at both Step II and Step III.

If you should decide to appeal the Step I grievance response to Step II, your appeal should be directed to:

GCby 9-16-21

If it is not submitted by this date, it will be considered terminated.

If you should decide to appeal the response you receive at Step II, you should send your Step III Appeal to the Director's Office, P.O. Box 30003, Lansing, Michigan, 48909.

Name (Print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
<u>Scott Sedore</u>	<u>210661</u>	<u>JCF</u>	<u>B-1</u>	<u>"ongoing"</u> <u>8/5/2021</u>	<u>9/1/2021</u>

I sent 2-separate letters to JCF Health Services. Never received any Kite response. That is a violation of M.D.O.C. -  
 STEP II - Reason for Appeal PD 03, 04, 100 (UU #3) All staff involved in the issue of this grievance have a "Duty  
 Follow and Execute all M.D.O.C. policies, practices, procedures. All issues and claims from my step #1 grievance  
 carry over to my step #2 Appeal. on 8/24/21 - I was issued a non-commercial / non-Heavy Duty Air Mattress,  
 a same kind ("Drive") that I grieved about in grievance # JCF/2005/0880/122 - on 5/4/2020! In that  
 grievance response, I was promised a "commercial grade / Heavy Duty" Air mattress, apparently the people  
 at M.D.O.C. involved in the issue of this grievance have decided to re-neg on that promise by telling me  
 grievance # JCF/2005/0880/122 that you will provide me a commercial grade / Heavy Duty Air Mattress  
 in new or - you are basically admitting that the Air Mattresses that are not commercial grade/  
 heavy-duty, that these Air Mattresses are junk and inadequate to meet my serious medical needs, then  
 8/24/21 - you give me the same ("Drive" Brand) Air Mattress that you previously admitted /acknow-  
 ledged was inadequate. Doing this is most certainly "Deliberate Indifference" to my serious medical needs,  
 you are showing a reckless disregard for my pain, suffering, physical, emotional, mental

STEP II - Response

Date Received by  
Step II Respondent:See AttachedSTEP 1 / 2 GRIEVANCE  
RECEIVED IN GRIEVANCE

SEP 29 2021

Respondent's Name (Print)

Respondent's Signature

Date

OFFICE ON  
Date Returned to  
Grievant:9-29-21STEP III - Reason for Appeal I did not receive any step #2 Appeal response on or before the 9/24/2021 "Due Date"

All claims and issues from my step #1 grievance, step #2 Appeal carry over to my step #3 Appeal; no legitimate  
 investigation initiated or completed by respondent at any step; no resolution offered at any step. There is no  
 "available" administrative remedy to Exhaust. The M.D.O.C. grievance process operates as a simple  
 "Dead-End", with no resolution offered by respondents to grievant.

**NOTE: Only a copy of this appeal and the response will be returned to you.****STEP III** - Director's Response is attached as a separate sheet.

DISTRIBUTION: White - Process to Step III; Green, Canary, Pink - Process to Step II; Goldenrod - Grievant



MICHIGAN DEPARTMENT OF CORRECTIONS-Bureau of Health Care

4835-7549  
CHJ-549 11/05

## HEALTH CARE REQUEST

PRISONER: COMPLETE SECTIONS A THROUGH D

A NAME: Scott Sedore

FACILITY: JCF

NUMBER: 210661

LOCK: B-1

DATE: 8/4/2021

B. This Health Care Request is for the following (check one or more): ☐ Health Record Copies☐ Non-urgent☐ Dental☐ Medication Refill☒ Medical☐ Optometry☐ Mental Health☐ Urgent

C. I have the following problems/symptoms:

my "Air Mattress" keeps going flat, I Blow it up, it goes flat by morning every time.

(\*) I need a new "Air Mattress" please!

Thank you!

## D NOTICE TO PRISONER

You will not be denied health care services for lack of personal funds. However, if your account does not have adequate funds, the copayment will be considered an institutional debt and shall be collected as set forth in PD 04.02.105, "Prisoner Funds".

Signing this document formally requests treatment. In addition, it authorizes the DOC to treat or arrange treatment for you and to release any necessary medical information to facilitate that treatment, to review treatment, to respond to a related grievance, or to review any appeal you may make regarding the Department's decision to charge for the care.

I have read Section D above, or it has been read to me and I understand that I will be charged \$5.00 for my health care visit unless it is for one of the reasons listed below in Section F. If I am charged for this visit, I agree that the \$5.00 may be taken from my account.

Prisoner Signature: Scott Sedore

Date: 8/4/2021

PRISONER: DO NOT WRITE BELOW THIS LINE

## E INSTRUCTIONS TO PRISONER

An appointment has been scheduled for you on:

Date:

Signature:

Title:

Provider #:

Date:

## F COPAYMENT (to be filled out by health care):

Note: If none of the exceptions listed below apply, check the box below and a copay will be charged.

- Care that is:
- ♦ requested by a QHP (includes transfer assessments, chronic care clinics, intake and annual screening, and required follow-up care)
  - ♦ for injuries that are work-related as documented by the prisoner's work supervisor
  - ♦ requested for testing for HIV, STD's, infestations, or reportable communicable diseases
  - ♦ requested for evaluation, consultation, or treatment of a mental health need
  - ♦ prompted by a medical emergency (see Section I of the policy, if self-inflicted)

☐ I have reviewed the visit of \_\_\_\_\_ and certify none of these exceptions apply.

Date

Signature:

Title:

Provider #:

Date:

Distribution: White - Health Services, Canary - Prisoner, Pink - Business Office

MICHIGAN DEPARTMENT OF CORRECTIONS-Bureau of Health Care

4835-7549  
CHJ 549 11/05

## HEALTH CARE REQUEST

Attn: "chris"

PRISONER: COMPLETE SECTIONS A THROUGH D

A NAME: Scott Sedore

FACILITY: JCF

NUMBER: 210661

LOCK: B-1

DATE: 8/5/2021

B. This Health Care Request is for the following (check one or more): ☐ Health Record Copies☐ Non-urgent☐ Dental☐ Medication Refill☒ Medical☐ Optometry☐ Mental Health☒ Urgent

C. I have the following problems/symptoms:

my "Air mattress" needs to be replaced. I  
Blow it up, when I lay on it, it goes flat over time.

\* please call me out for a new "Air Mattress"

Thank you!

## D NOTICE TO PRISONER

You will not be denied health care services for lack of personal funds. However, if your account does not have adequate funds, the copayment will be considered an institutional debt and shall be collected as set forth in PD 04.02.105, "Prisoner Funds".

Signing this document formally requests treatment. In addition, it authorizes the DOC to treat or arrange treatment for you and to release any necessary medical information to facilitate that treatment, to review treatment, to respond to a related grievance, or to review any appeal you may make regarding the Department's decision to charge for the care.

I have read Section D above, or it has been read to me and I understand that I will be charged \$5.00 for my health care visit unless it is for one of the reasons listed below in Section F. If I am charged for this visit, I agree that the \$5.00 may be taken from my account.

Prisoner Signature: Scott Sedore

Date: 8/5/2021

PRISONER: DO NOT WRITE BELOW THIS LINE

## E INSTRUCTIONS TO PRISONER

An appointment has been scheduled for you on:

Date:

Signature:

Title:

Provider #:

Date:

## F COPAYMENT

(to be filled out by health care):

Note: If none of the exceptions listed below apply, check the box below and a copay will be charged.

- Care that is:
- ♦ requested by a QHP (includes transfer assessments, chronic care clinics, intake and annual screening, and required follow-up care)
  - ♦ for injuries that are work-related as documented by the prisoner's work supervisor
  - ♦ requested for testing for HIV, STD's, infestations, or reportable communicable diseases
  - ♦ requested for evaluation, consultation, or treatment of a mental health need
  - ♦ prompted by a medical emergency (see Section I of the policy, if self-inflicted)

☐ I have reviewed the visit of \_\_\_\_\_ and certify none of these exceptions apply.

Date

Signature:

Title:

Provider #:

Date:

Distribution: White - Health Services, Canary - Prisoner, Pink - Business Office

MICHIGAN DEPARTMENT OF CORRECTIONS-Bureau of Health Care

4835-7549  
CHJ-549 11/05**"Exhibit #3"****HEALTH CARE REQUEST** *Attn: Chris***PRISONER: COMPLETE SECTIONS A THROUGH D****A NAME:** *Scott Sedore***FACILITY:** *JCF***NUMBER:** *210661***LOCK:** *B-1***DATE:** *8/25/2021***B. This Health Care Request is for the following (check one or more):** ☐ Health Record Copies☐ Non-urgent☐ Dental☐ Medication Refill☒ **Medical**☐ Optometry☐ Mental Health☒ **Urgent****C. I have the following problems/symptoms:***chris - Although I appreciate the "Air Mattress" that I received yesterday, I am urging you to please order me a commercial grade / Heavy-duty Air Mattress. The Air Mattress that I received yesterday - I have had several of the "Drive" Air Mattresses like that. I have never had one last me more than 2-weeks without developing multiple "holes" in it, going flat non-stop, please, I am begging***D NOTICE TO PRISONER**

You will not be denied health care services for lack of personal funds. However, if your account does not have adequate funds, the copayment will be considered an institutional debt and shall be collected as set forth in PD 04.02/105, "Prisoner Funds".

Signing this document formally requests treatment. In addition, it authorizes the DOC to treat or arrange treatment for you and to release any necessary medical information to facilitate that treatment, to review treatment, to respond to a related grievance, or to review any appeal you may make regarding the Department's decision to charge for the care.

*Air Mattress like I was promised I would receive - due to the*

I have read Section D above, or it has been read to me and I understand that I will be charged \$5.00 for my health care visit unless it is for one of the reasons listed below in Section F. If I am charged for this visit, I agree that the \$5.00 may be taken from my account.

Prisoner Signature: *Scott Sedore*Date: *8/25/2021***PRISONER: DO NOT WRITE BELOW THIS LINE****E INSTRUCTIONS TO PRISONER***please respond!**Thank you!*

An appointment has been scheduled for you on:

Date:

Signature:

Title:

Provider #:

Date:

**F COPAYMENT** (to be filled out by health care):

Note: If none of the exceptions listed below apply, check the box below and a copay will be charged.

- Care that is:
- ♦ requested by a QHP (includes transfer assessments, chronic care clinics, intake and annual screening, and required follow-up care)
  - ♦ for injuries that are work-related as documented by the prisoner's work supervisor
  - ♦ requested for testing for HIV, STD's, infestations, or reportable communicable diseases
  - ♦ requested for evaluation, consultation, or treatment of a mental health need
  - ♦ prompted by a medical emergency (see Section I of the policy, if self-inflicted)

☐

I have reviewed the visit of \_\_\_\_\_ and certify none of these exceptions apply.

Date:

Signature:

Title:

Provider #:

Date:

Distribution: White - Health Services, Canary - Prisoner, Pink - Business Office



**Michigan Department of Corrections**  
**Kite Response**

---

**Offender #:** 0210661      **Offender Name:** SEDORE, SCOTT LEE

**Location:** JCF - G. ROBERT COTTON CORRECTIONAL

**Lock:** B:01:Bot:L

---

**Discipline:** Medical

**Received Date:** 08/25/2021

**Initiated Date:** 08/25/2021

**Taken By:** Stricklin, Brian [BS14] RN

**Request Type:** Medical Question

**Request Summary:** "Chris Although I appreciate the "Air mattress" That I received yesterday, I am urging you to order me a commercial grade/ heavy duty air mattress....."

**Plan/Action:** You will not be receiving a commercial grade/ Heavy duty mattress. You will be getting what we have in stock, and what we are able to order.

Thank you

**Comments:**

## MICHIGAN DEPARTMENT OF CORRECTIONS-Bureau of Health Care

4835-7549  
CHJ-549 11/05

## HEALTH CARE REQUEST

PRISONER: COMPLETE SECTIONS A THROUGH D

A NAME: Scott Sedore

FACILITY: JCF

NUMBER: 210661

LOCK: B-1

DATE: 8/30/2021

B. This Health Care Request is for the following (check one or more): ☐ Health Record Copies☐ Non-urgent☐ Dental☐ Medication Refill☒ Medical☐ Optometry☐ Mental Health☒ Urgent

C. I have the following problems/symptoms:

chris or MS. Dana - I wrote a "kite" on 8/25/21 - regarding the "junky" gray (Drive) Air Mattress that you gave me on 8/24/21. This was given to me despite grievance # JCF/2005/0880/122 - In which I was basically promised a commercial grade / Heavy Duty Air Mattress - Due to multiple issues and problems caused with giving me a gray "Drive" Air Mattress like you gave me again on 8/24/21. Then my "Aide" spoke with you on 8/26 or 8/27 - In which besides the kite

D. NOTICE TO PRISONER

response that I received that was dated 8/25/21 (causing supervisor Brian Stricklin - RN), you (chris and MS. Dana) and nursing supervisor Brian Stricklin "All" signing this document formally requests treatment. In addition, it authorizes the DOC to treat or arrange treatment for you and to release any necessary medical information to facilitate that treatment, to review treatment, to respond to a related grievance, or to review any appeal you may make regarding the Department's decision to charge for the care.

told that you cannot order commercial grade / Heavy Duty Air Mattresses right now for some reason. I have read Section D above, or it has been read to me and I understand that I will be charged \$5.00 for my health care visit unless it is for one of the reasons listed below in Section F. If I am charged for this visit, I agree that the \$5.00 may be taken from my account. Reason: Today (8/30/21) at approximately 10:00 AM, - I saw a guy walk past my housing unit, coming from "JCF".

Prisoner Signature: Scott Sedore

Date: 8/30/2021

unit, coming from "JCF"

PRISONER: DO NOT WRITE BELOW THIS LINE

Healthcare services "Blue"

E. INSTRUCTIONS TO PRISONER

carrying a "Brand New" (Blue) commercial grade / Heavy Duty Air Mattress. All of you told me you cannot order them anymore. How did that guy receive one? Then, please call me out and exchange my junky (Drive) Air Mattress for a commercial / Heavy Duty grade Air Mattress - like I saw the guy receive from JCF Healthcare service today. please response AS P003041007 (ULI-#3)

An appointment has been scheduled for you on:

Date:

Signature:

Title:

Provider #:

Date:

requires

F. COPAYMENT

(to be filled out by health care):

Note: If none of the exceptions listed below apply, check the box below and a copay will be charged.

Care that is:

- ♦ requested by a QHP (includes transfer assessments, chronic care clinics, intake and annual screening, and required follow-up care)
- ♦ for injuries that are work-related as documented by the prisoner's work supervisor
- ♦ requested for testing for HIV, STD's, infestations, or reportable communicable diseases
- ♦ requested for evaluation, consultation, or treatment of a mental health need
- ♦ prompted by a medical emergency (see Section I of the policy, if self-inflicted)



I have reviewed the visit of \_\_\_\_\_ and certify none of these exceptions apply.

Date

Signature:

Title:

Provider #:

Date:

Distribution: White - Health Services, Canary - Prisoner, Pink - Business Office

## Michigan Department of Corrections

## Kite Response

Offender #: 0210661 Offender Name: SEDORE, SCOTT LEE

Location: JCF - G. ROBERT COTTON CORRECTIONAL

Lock: B:01:Bot:L

Discipline: Medical

Received Date: 08/31/2021

Initiated Date: 08/31/2021

Taken By: Stricklin, Brian [BS14] RN - "JCF" Nursing Supervisor

Request Type: Medical Question

**Request Summary:** "Chris or Ms Dana I wrote a kite on 8/25/21 regularly the "junky" gray drive air mattress that you gave me on 8/24/21. This was given to me despite grievance #JCF/2005/880/122- In which I was basically promised a commercial grade a commercial grade mattress - Due to multiple issues and problems cause with giving me a gray "drive air mattress like you gave me again on 8/24/21. Then my "Aide spoke with you on 8/26 or 8/27 - In which besides the kite response that I received that was dated 8/25/21 Nursing supervisor Brian Stricklin, you (chris and ms Dana) and nursing supervisor Brian Stricklin All told that you cannot order commercial grade/Heavy Duty Air Mattresses right now for some reason? Today I saw a guy walk past my housing unit coming from JCF Healthcare services carrying a "brand new" blue commercial grade heavy duty air mattress. All of you told me you cannot order them anymore? How did that guy receive one then? Please call me out and exchange my junky (drive) air mattress.."

**Plan/Action:**

Respectfully all of your assumptions about the "blue" air mattress are incorrect. We haven't been able to purchase them in over 6 months. The "blue" air mattress you saw someone carrying was brought to healthcare to be patched, and was far from being new. Perhaps you should worry more about taking care of the mattress you have than worrying about someone else's property; which is none of your concern.  
Thank you.

**Comments:**

- \* "JCF" Healthservices has newer "patched" any Air mattress of mine when it had Holes, They do not patch Air Mattresses because they always develop [REDACTED] holes in the seams, you cannot patch a seam,
- \* Also, I have been given at least "2" new Blue Air Mattresses within the past 6-month's, If they have not been able to order them in over 6-month's, how did I receive the ones I received? They don't stockpile them at any M.D.O.C. facility.

"Exhibit #5""Sworn Affidavit"8/30/2021

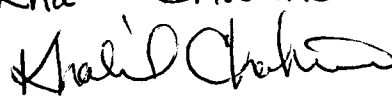
I swear under Penalty of Perjury that Any / All statements that I made in this "Sworn Affidavit" are Accurate and truthful.

- 1) on or around 8/26/21 or 8/27/21 - I spoke directly too "chris" and "Ms. Dana" outside "JCF" Healthcare services - on the sidewalk, regarding the "Air Mattress" (gray - "Drive") that was given to Mr Scott Sedore #210661 on 8/24/21 by "chris". I talked to them regarding the need for a commercial / Heavy Duty grade Air Mattress for Mr Sedore because he was given a gray ("Drive") Air Mattress on 8/24/21 that is not commercial / Heavy Duty grade.
- 2) I am Mr Sedore's "Aide" and wheelchair pusher. I help him take care of most of his basic daily living needs. This job is a 24/7 job. I have been hrs assigned "Aide" since on or around 7/26/19.
- 3) "chris" and "Ms. Dana" told me directly during our discussion on or around 8/26/21 or 8/27/21 - "we cannot order any commercial / Heavy Duty grade Air Mattresses." we can only order what Lansing "central office" will allow us to order.

I swear under penalty of Perjury that Any / All statements that I made Above are accurate and truthful.

Respectfully submitted,

Printed name: Khalil Chahine #534769

Signed name:  #534769

Date: 8/30/2021

"Exhibit #6""Sworn Affidavit"9/24/2021

I swear under Penalty of Perjury that the following claim's and statement's are accurate and truthful.

on 9/24/2021, I placed my step #3 Appeal in a regular sized stamped, #10 Envelope, and sealed the Envelope - then placed it in my Housing unit (B-unit) outgoing "mail Box". This "mail Box" is a "Locked" Box, only michigan Department of correction's ("M.D.O.C.") staff have a "Key" to Access and Empty this "mail Box".

I sent this step #3 Appeal for grievance Identifier # JCF/2108/1311/12E1 (Air Mattress Issues) to the Designated Address for "M.D.O.C." - step #3 grievance Appeal's: By U.S. mail!

Director's office  
P.O. Box 30003  
Lansing, michigan  
48909

I swear under Penalty of Perjury that Any/All statement's and claim's are accurate and truthful.

Respectfully Submitted,

printed name: Scott Sedore #210661

signed name: Scott Sedore #210661

Date: 9/24/2021

"Sworn Affidavit"9/24/2021

I swear under Penalty of Perjury that the following claim's and statement's are accurate and truthful,

on 9/24/2021, I directly observed Mr Scott Sedore place a stamped Envelope, that was addressed, Sealed, and placed into the Housing unit (B-unit) "outgoing" mail Box. This Envelope included a step#3 grievance Appeal. I saw Mr Sedore place this specific step#3 grievance Appeal inside said Envelope, seal it, and place it into the B-unit "outgoing" mail Box. This "mail Box" is for "outgoing" U.S. mail only. This Box has a "Lock" on it and only M.D.O.C. staff have a "Key" to unlock and Access the contents.

I specifically verified that this grievance was as follow's:  
step#3 Appeal for grievance Identifier # JCF/2108/1311/12E1.  
The Address on the Envelope was as follow's:

Director's office  
P.O. Box 30003  
Lansing, Michigan  
48909

I Swear under Penalty of Perjury that Any/All  
Statement's and claim's that I have made are accurate  
and truthful.

Respectfully Submitted,  
printed name: Anthony Harp 372187  
signed name: Anthony Harp 372187  
Date: 9-24-2021



MICHIGAN DEPARTMENT OF CORRECTIONS  
PRISONER/PAROLEE GRIEVANCE FORM

4835-4247 10/94  
CSJ-247A

"Exhibit #7"

Date Received at Step I \_\_\_\_\_

Grievance Identifier: JCF|20|05|10|8|01|12|21

Be brief and precise in describing your grievance issue. If you have any questions concerning the grievance process, refer to PD 03.02.130 and OP 03.02.130 available in the prison Law Library.

Name (print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
Scott Sedore	210661	JCF	B-1	5/1/20 "ongoing"	5/4/2020

What attempt did you make to resolve this issue prior to writing this grievance? On what date? I have wrote at least "9"-kites in the past about this issue. This has been an "ongoing" issue. The most recent kite that i wrote was on 5/1/2020. This issue has not been resolved. I feel that only M.D.O.C. Administration (Jane / John Doe) can resolve this issue.  
 This grievance is Against (M.D.O.C.) Michigan Dept. of corrections - Bureau of Healthcare Service - (Jane / John Doe)

State problem clearly. Use separate grievance form for each issue. Additional pages, using plain paper, may be used.

Four copies of each page and supporting documents must be submitted with this form. The grievance must be submitted to the Grievance Coordinator in accordance with the time limits of OP 03.02.130. This grievance involves the following violations: M.D.O.C. - PD 03.03.130, PD 03.04.100, PD 04.06.160, "Deliberate Indifference (8th Amendment), Violations of Title II of the Americans w/ Disabilities and Rehabilitation Acts.

The Issue of this grievance is as follow's: The M.D.O.C. - to save money - has policies, procedures, practices in place to buy "sub-Par," "Junk" - medical equipment / Devices for prisoners with serious physical impairments and disabilities. Central office staff (Jane/John Doe) will not allow "JCF" staff to purchase adequate, safe Air mattresses. The ones they allow Jcf staff to purchase for me are not Adequate, safe, and would not work and last for any duration of time for a 12 year old kid.

I have a medical Accomodation order currently for an "Air Mattress" / I have had this since 1/9/20. since that time I have needed a new one on 2/19, 3/6, 3/17, 4/16/20, and currently I am in desperate need of a new one. my current one has multiple Holes in it and stay inflated. Every Air mattress I had has not only failed, developed holes within 1-week of receiving a new one - This has contributed to lost sleep, further physical, emotional, mental pain and suffering. 24/7, I spend more time fighting multiple failures/Holes in these Air mattresses - than I spend laying on them (getting any relief, rest). It would be cheaper to purchase a mattress designed to last. on average, every Air Mattress that i have been given - only has lasted "1-week" before they've developed multiple "Serious" Holes making it impossible to keep it inflated. - This keeps me awake all hours of the day and nights. I have serious medical issues with Scott Sedore, my feet, knees, hips, back. I weigh approximately 250 pounds. I have needed "4" new mattress since 2/19/2020.

RESPONSE (Grievant Interviewed?) ☐ Yes ☐ No If No, give explanation. If resolved, explain resolution.)

Respondent's Signature \_\_\_\_\_

Date \_\_\_\_\_

Reviewer's Signature \_\_\_\_\_

Date \_\_\_\_\_

Respondent's Name (Print) \_\_\_\_\_

Working Title \_\_\_\_\_

Reviewer's Name (Print) \_\_\_\_\_

Working Title \_\_\_\_\_

Date Returned to

Grievant: \_\_\_\_\_

If resolved at Step I, Grievant sign here.

Resolution must be described above.

Grievant's Signature \_\_\_\_\_

Date \_\_\_\_\_

DISTRIBUTION: White, Green, Canary, Pink — Process to Step One; Goldenrod — Grievant

MICHIGAN DEPARTMENT OF  
CORRECTIONS

CSJ-247S 3/18/2019

## STEP I GRIEVANCE RESPONSE SUPPLEMENTAL FORM

(Use if space on the CSJ-247A is insufficient for a full response by stating on the CSJ-247A "See attached CSJ-247S")

Prisoner Last Name:	Prisoner #:	Lock/Location:	Grievance #:
Sedore	210661	B/01	JCF/2005/0880/12Z JCF-20-20-0880-8012Z
Prisoner Interviewed:	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	If "NO", Reason:	See Decision Summary for Reason
Extension Granted:	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	If "YES", Enter End Date:	If "YES", Enter End Date

## COMPLAINT SUMMARY:

The grievant alleges that the MDOC has policies, procedures, practices in place to buy "sub-par" "junk" -medical equipment/devices for prisoner with serious physical impairments and disabilities. Furthermore, the grievant is citing; the quality of air mattresses the MDOC is providing him are junk. Grievant is stating pain and suffering due to not having his air mattress.

## INVESTIGATION SUMMARY:

After reviewing the electronic medical record and speaking with the employee in charge of ordering medical supplies, the mattresses are on order. She has explained on numerous accounts that she is to order commercial grade air mattresses; she placed the order over a month ago. Healthcare has no control over when supplies arrive. Due to state of emergency supplies ordered are taking longer than expected to arrive.

## APPLICABLE POLICY, PROCEDURE, ETC.:

P.D.03.04.100

## DECISION SUMMARY:

Grievance was partially resolved, grievant was given answer to grievance although it is not what he wants to hear it is the policy, and procedure of the MDOC.

RESPONDENT NAME:	Christina Russell RN 13	TITLE:	Nurse Supervisor
RESPONDENT SIGNATURE:	<i>Christina Russell RN 13</i>	DATE:	05/19/2020
REVIEWER NAME:	Sirena Landfair RN, BSN, HUM	TITLE:	Health Unit Manager
REVIEWER SIGNATURE:	<i>Sirena Landfair</i>	DATE:	05/19/2020

Distribution: Original - Step I Grievance Coordinator Copies - 3 To Grievant (1 Prisoner Copy; 1 for Step II filing; 1 for Step III filing)



## Step II Grievance Appeal Response

**Grievance Number:** JCF 2020 05 0880 12Z

**Prisoner Name:** Sedore, Scott

**Prisoner Number:** 210661

I have reviewed your Step I Grievance, the Step I Response, and your Step II Reason for Appeal.

**SUMMARY OF STEP I COMPLAINT:** The Grievant alleges that the MDOC has policies, procedures, practices in place to buy "sub-par" "junk" – medical equipment/devices for prisoners with serious physical impairments and disabilities. Furthermore, the Grievant is citing: the quality of air mattresses the MDOC is providing him are junk. Grievant is stating pain and suffering due to not having his air mattress. Date of incident 5/1/2020 ongoing.

**SUMMARY OF STEP I RESPONSE:** After reviewing the Electronic Health Record (EHR) and speaking with the employee in charge of ordering medical supplies, the mattresses are on order. She has explained on numerous accounts that she is to order commercial grade air mattresses; she placed the order over a month ago. Healthcare has no control over when supplies arrive. Due to state of emergency, supplies ordered are taking longer than expected to arrive. Grievance was partially resolved, Grievant was given answer to grievance although it is not what he wants to hear, it is the policy and procedure of the MDOC. Date of response 5/19/2020.

**SUMMARY OF STEP II REASON FOR APPEAL:** Grievant informs he did receive a new air mattress on 5/8/2020, by 5/25/2020 I had "4" holes in it. my air mattress is like laying on a bed of quicksand, I must re-inflate it constantly to keep any air in it. I have tourniquets tied all over it to try and keep air in it. it is a losing battle. These causes me lost rest and sleep, waking up to a flat air mattress constantly. This causes pain 24/7. The MDOC has the misconception that one size fits all, it doesn't. an air mattress that is adequate for a 160# person is probably not going to be adequate for somebody my size & weight (250#). Until the MDOC purchases an air mattress adequate for my size/weight and type and frequency of use in their purchasing decisions they are guilty of "deliberate indifference" to my serious medical needs...Date of incident 5/1/2020 ongoing.

**SUMMARY OF STEP II INVESTIGATION:** Upon investigation of the Step II appeal; the Step I response, reason for appeal and review of the Electronic Health Record (EHR), including any additional information needed was obtained as necessary to complete the response. On 6/2/2020 – Grievant was issued a Stryker Mattress Overlay. Grievant is encouraged to try and protect the air mattress from being punctured. Grievant's Step II appeal and Step I grievance have been reviewed at Step II in accordance with PD 03.02.130, "Prisoner/Parolee Grievances". After careful consideration, your appeal has been denied and the Step I decision is upheld.

Grievant is encouraged to access health care through the kite process to address any current health care concerns.

### CONCLUSION: Evidence

- PD 03.02.130, Prisoner Grievances
- Policy 03.04.100 Health Services
- PD 04.06.160 Medical Details and Special Accommodations Notices

Grievance Denied; Review of the evidence supports that Grievant's medical needs are being addressed. Please kite when you have holes in the air mattress for replacement, however you are encouraged to use caution to prevent puncturing of the air mattress.

**RESPONDENT NAME:** Subrina Aiken, RN

**TITLE:** Clinical Administrative Assistant  
Jackson Health Care Office Administration

**RESPONDENT SIGNATURE:** *Subrina Aiken, RN*

**DATE:** 6/13/2020

(2-sided Document)

MICHIGAN DEPARTMENT OF CORRECTIONS

4835-4248 5/09

**PRISONER/PAROLEE GRIEVANCE APPEAL FORM**

CSJ-247B

Date Received by Grievance Coordinator  
at Step II: 6/15/2020Grievance Identifier: JCF 2905 880 122**INSTRUCTIONS: THIS FORM IS ONLY TO BE USED TO APPEAL A STEP I GRIEVANCE.**

The white copy of the Prisoner/Parolee Grievance Form CSJ-247A (or the goldenrod copy if you have not been provided with a Step I response in a timely manner) **MUST** be attached to the white copy of this form if you appeal it at both Step II and Step III.

JUN 22 2020

If you should decide to appeal the Step I grievance response to Step II, your appeal should be directed to: \_\_\_\_\_

by 6/11/2020 Office of Legal Affairs. If it is not submitted by this date, it will be considered terminated.

If you should decide to appeal the response you receive at Step II, you should send your Step III Appeal to the Director's Office, P.O. Box 30003, Lansing, Michigan, 48909.

Name (Print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
Scott Sedore	210661	JCF	B-1	5/1/2020 "ongoing"	6/1/2020

**STEP II — Reason for Appeal** All statements, claims, issues from step #1 carry over to step #2! I received a new mattress on 5/18/2020, by 5/25/2020 I had "4" holes in it, my Air mattress is like laying on a bed of Quicksand, just re-inflate it constantly to keep any Air in it. I have tourniquets tied all over it to try and keep air in it, it's a losing battle. This causes me lost rest and sleep - waking up to a flat Air mattress constantly. This causes a losing battle. The M.D.C. has the misconception that one size fits all. In reality, it doesn't. An Air mattress that is quite for a 160 pound person - is probably not going to be adequate for somebody my size & weight (250 pounds). The M.D.C. purchases an Air Mattress Adequate for my size/weight and type and frequency of use in these purchasing decisions - they are guilty of "Deliberate Indifference" to my serious medical needs. The M.D.C. agreed to provide me an Adequate Air Mattress as part of a settlement in a federal lawsuit. The step #1 respondent states that they have been waiting 1-month for commercial grade Air mattresses, I was told these were ordered back at the beginning of March 2020, almost 3-months ago.

**STEP II — Response**

RECEIVED JUN 02 2020

Date Received by  
Step II Respondent:

S. Arken RN13 Attached

Respondent's Name (Print)

Respondent's Signature

Date

Date Returned to  
Grievant:**STEP III — Reason for Appeal**

All issues and claims from step #1 and step #2 Appeal carry over to step #3 Appeal, not resolved.

**NOTE: Only a copy of this appeal and the response will be returned to you.****STEP III — Director's Response is attached as a separate sheet.**

DISTRIBUTION: White - Process to Step III; Green, Canary, Pink - Process to Step II; Goldenrod - Grievant

## Step III Grievance Response

SCOTT SEDORE

210661

JCF 20050880

Grievant alleges Health Care has ordered inappropriate air mattresses that are not addressing his needs.

All relevant information within the electronic medical record has been reviewed. Step I and Step II appropriately addressed this grievance and are affirmed at the Step III appeal. In regards to your claim, after reviewing your Electronic Medical Record, no violation of policy has been identified. Your medical needs are being appropriately addressed; per the Electronic Medical Record, you received your new air mattress on June 2, 2020.

Grievance appeal denied.

Response of Bureau of Health Care Services

Date: 7/7/2020

Approved: \_\_\_\_\_

*S. Smoyer RN*  
S. Smoyer, RN

Date: \_\_\_\_\_

*7/9/2020*

*RD Russell*

Richard D. Russell Manager, Grievance Section Office of Legal Affairs

MAILED JUL 20 2020

Date Mailed

Ref. # 30671

C:

Warden

JCF

Regional Health Care Administrator

Southern

Grievant



**TATES**

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**\$15.35**  
R2304M113348-04

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12/30/21

From: Michael Sedore  
on Behalf of Scott Sedore  
3351N Wheaton Rd  
Grand Ledge MI 48837

ps

**PRIORITY<sup>®</sup>  
MAIL**

To: U.S. District Court  
Attn: Clerk of the Court

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